

(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

FILED

JUL 22 2008

U.S. DISTRICT COURT
DISTRICT OF DELAWARE

(1) ALBERT BROWN 483775
(Name of Plaintiff) (Inmate Number)

HRYCI P.O. Box 9561 Wilmington DE. 19809
(Complete Address with zip code)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Case Number)
(to be assigned by U.S. District Court)

(Complete Address with zip code)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

Phil MORGAN DAVE Bam Ford
MARK EMIG vs. LT WILLIAM
CARL C. DANBERG BRIAN BERGGRUM
(1) DAVE WILLIAM Philip PARKER
CAROL JEFFERSON BAIWANT SINGH
(2) HACKETT DOUG ROGERS
K. HASTINGS SMITH
(3) Romanowski MITCHELL
(Names of Defendants)

CIVIL COMPLAINT

• • Jury Trial Requested

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

NOT SINCE I WAS RELEASED FEB, 10/2005. IN DISTRICT COURT
STATE OF DELAWARE. ALBERT BROWN V. DAN SHAN CIV NO
03-426. AND ALBERT BROWN V. RANDOLPH PEAFF- NOT SURE
CASE NUMBER JUDGE-SLR. AND I NOT TO SURE OF THE NAME
AND NUMBERS OF OTHER IN 2003, AS OF MY INCARCERATION
OF MARCH 20, 2007 THIS IS MY ONLY CLAIM

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? • • Yes • • No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes • • No
- C. If your answer to "B" is Yes:

1. What steps did you take? I FIRST WAS TAKEN TO EMERGENCY OUTSIDE HOSPITAL, THEN ON RETURN FILE A PRISON GRIEVANCE
2. What was the result? FIRST STEP. UNRESOLVED 2 STEP DENIED, I APPEALED 3 STEP OF APPEAL I WAS DENIED

- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS (in order listed on the caption)

- (1) Name of first defendant: Phil Mogan
 Employed as WARDEN at HOWARD R. YOUNG CORRECTION INSTITUTION
 Mailing address with zip code: P.O. BOX 9561 WILMINGTON DELAWARE 19809
- (2) Name of second defendant: MARK EMIG
 Employed as DEPUTY WARDEN at HOWARD R. YOUNG CORRECTION INSTITUTION
 Mailing address with zip code: P.O. BOX 9561 WILMINGTON DELAWARE 19809
- (3) Name of third defendant: CARL C. DANBERG
 Employed as COMMISSIONER at DEPARTMENT OF CORRECTION
 Mailing address with zip code: 245 MC KEE RD DOVER DELAWARE → 19901

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

DEFENDANTS (in ORDER list on the caption)

4. NAME OF FOURTH DEFENDANT: DAVE WILLIAM EMPLOYED
AS MAJOR, SECURITY AT HOWARD R. YOUNG
CORRECTION INSTITUTION Mailing address with zip
code: P.O. Box 9561 WILMINGTON Delaware 19809

DEFENDANTS (in OR list on the caption)

5. NAME OF FIFTH DEFENDANT: DAVE BAMFORD
EMPLOYED AS CAPTAIN AT HOWARD R. YOUNG
CORRECTION INSTITUTION Mailing address with zip code:
P.O. Box 9561 WILMINGTON Delaware 19809

DEFENDANTS (in ORDER list on the caption)

6. NAME OF SIXTH DEFENDANT: Brian BEGGUM EMPLOYED
AS CAPTAIN AT HOWARD R. YOUNG CORRECTION
INSTITUTION mailing address with zip code: P.O. Box
9561 WILMINGTON Delaware 19809.

DEFENDANTS (in ORDER list on the caption)

7. NAME OF SEVENTH DEFENDANT: CAROL JEFFERSON
EMPLOYED AS CAPTAIN AT HOWARD R. YOUNG CORRECTION
INSTITUTION Mailing address with zip code: P.O. Box
9561 WILMINGTON Delaware 19809.

DEFENDANTS (in ORDER list on the caption)

8. NAME OF EIGHTH DEFENDANT: Philip PARKER EMPLOYED
AS CAPTAIN AT HOWARD R. YOUNG CORRECTION
INSTITUTION mailing address with zip code: P.O. Box 9561
WILMINGTON Delaware 19809

DEFENDANTS (in order listed on the caption)

9. NAME OF NINTH DEFENDANT: BALWANT Singh EMPLOYED
AS CAPTAIN AT Howard R. Young Correction Institution —
P.O. Box 9561 — MAILING Address with ZIP CODE: P.O. Box 9561
Wilmington Delaware 19809.

DEFENDANTS (in order listed on the caption)

10. NAME OF TENTH DEFENDANT: HACKETT EMPLOYED
AS C/O OFFICER AT Howard R. Young Correction
INSTITUTION MAILING Address with ZIP CODE: P.O. Box 9561
Wilmington Delaware 19809

DEFENDANTS (in order listed on the caption)

11. NAME OF ELEVENTH DEFENDANT: K. HASTINGS EMPLOYED
AS C/O OFFICER AT Howard R. Young Correction
INSTITUTION MAILING address with ZIP CODE: P.O. Box -
9561 Wilmington Delaware 19809

DEFENDANTS (in order listed on the caption)

12. NAME OF TWELFTH DEFENDANT: SMITH EMPLOYED AS
C/O OFFICER AT Howard R. Young Correction
INSTITUTION MAILING address with ZIP CODE: P.O. Box 9561
Wilmington Delaware 19809

DEFENDANTS (in order listed on the caption)

13. NAME OF THIRTEENTH DEFENDANT: Romanowski EMPLOYED
AS C/O OFFICER AT Howard R. Young Correction
INSTITUTION MAILING Address with ZIP CODE: P.O. Box
9561 Wilmington Delaware 19809

DEFENDANTS (IN ORDER LISTED ON THE CAPTION)

14. NAME OF FOURTEENTH DEFENDANT: MITCHELL EMPLOYED
AS C/O OFFICER AT HOWARD R. YOUNG CORRECTION
INSTITUTION MAILING ADDRESS WITH ZIP CODE: P.O. BOX 9561
WILMINGTON DELAWARE 19809

DEFENDANTS (IN ORDER LISTED ON THE CAPTION)

15. NAME OF FIFTEENTH DEFENDANT: DAUG ROGERS EMPLOYED
AS MAINTENANCE AT HOWARD R. YOUNG CORRECTION INSTITUTION
MAILING ADDRESS WITH ZIP CODE: P.O. BOX 9561
WILMINGTON DELAWARE 19809

DEFENDANT (IN ORDER LISTED ON THE CAPTION)

16. NAME OF SIXTEENTH DEFENDANT: WILLIAM EMPLOYED
AS LIEUTENANT AT HOWARD R. YOUNG CORRECTION
INSTITUTION MAILING ADDRESS WITH ZIP CODE:
P.O. BOX 9561 WILMINGTON DELAWARE 19809

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. I HAVE BEEN RESIDING IN H.R.Y.C.I SINCE NOVEMBER 30, 2007. UP UNTIL MARCH 27, 2008 I WAS LIVING ON UNIT 2M, CELL-11. THE DAY OF MARCH 27, 2008 I WAS LOCKED IN MY CELL-11, FOR 11:30 AM COUNT TIME. AT APPROXIMATE 12:30 PM OR 1:00 PM C.O. K. HASTINGS ANNOUNCED LUNCH TIME TO COME OUT THE CELL-11
2. AS I STEPPED OUT OF MY CELL I SLIPPED ^{IN} TO WATER FROM A FLOOD THAT BUILT UP FROM A WATER LEAK, DRIPPING FROM THE CEILING BETWEEN CELL-11, AND CELL-12, AS A RESULT OF THE FALL, KNOCKED ^{ME} ~~I WAS~~ UNCONSCIOUS WHEN CAME THROUGH, THATS WHEN I REALIZED I WAS LAYING IN A PUDDLE OF WATER, AND THE WATER LEAK FROM
3. THE CEILING WAS HITING ME IN THE FACE. AND LT FRED WEY SAYING AN INMATE WHO LIVE STRAIGHT ACROSS FROM CELL-12 NAME MARVIN DAVIS IN 8-CELL SAID HE FELT, I WAS THEN PICK UP AND PUT ON A STRECHER WITH A NECK BRACE FROM STAFF AND MEDICAL WORKER OF CMS WHO ARRIVED TO THE CODE 4.

V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. TO ACTION REQUESTED I AM ASKING THE COURT TO COMPENSATORY ME FOR ALL INJURIES THAT WAS CAUSE FROM ME SLIPPING IN THE WATER, THE INJURIES THAT CAN ALSO GET WORST AS TIME

I WAS TAKING TO THE CHRISTIANA HOSPITAL, BY EMERGENCY AMBULANCE. I UNDERWENT TWO CATSCANS. THE FIRST CATSCAN RESULTS. I WAS TOLD BY DOCTOR, THAT THE REASON I HAVE TO STAY IN THE HOSPITAL IS BECAUSE HE FOUND A SPOT OF BLOOD ON MY BRAIN. I WAS DIAGNOSED WITH A CONCUSSION, I SUFFER FROM SEVERE HEADACHES THAT CAUSE CHRONIC PAIN, LOST OF MEMORY, BLURRED VISION, AND LOST OF VISION WHEN I LOOK, I CAN'T SEE A FAR, AND LOOKING AT THINGS CLOSE OR FAR, CAUSES ME TO STRAIN, WHICH CAUSE ME TO VOMIT AND HEADACHES THAT CAUSE CHRONIC PAIN. THE OUTSIDE DOCTOR PROSCRIBED ME WITH READING GLASSERS THAT I HAVE NEVER NEEDED IN MY LIFE. ~~HE DOCTOR~~ STATED THE PROBLEM IS FROM BRAIN DAMAGE AND HE CAN'T HELP MY EYES BECAUSE IT'S MY DAMAGE TO THE BRAIN. BEFORE I SLIP IN THE PUDDIE WATER I HAD A INJURY TO MY RIGHT LEG AND HIP A BROKEN QUADRICEPT MUSCLE. THE SLIP AND FALL HAS DAMAGED MY RIGHT LEG MORE, AND ON 3-27, 2008 AFTER FALL I LOST ALL FEELING^{IN} MY LEG DOWN TO MY TOES, FOR SOME HOURS SINCE THEN, I CONTINUELY, EVERY HOUR GET A HOT BURNING FEELING RUNNING THROUGH MY^{LEG} AND PAIN IN BOTH KNEES, AND UNDER THE RIGHT^{LEG}, GETS REAL HOT, AND CAUSE HEAT^{RUNNING IN LEG}. CHRONIC SEVER PAIN, FOUR MONTHS AND HAS GOT WORST, FOR ALL INJURIES, I'VE BEEN PROSCRIBED A NECK BRACE THOUGH X-RAY WAS NEGATIVE THREE MONTHS LATER MRI SHOW ARTHRITIS IN MY NECK THAT WAS NOT THERE BEFORE INJURIES AS WELL, AS ARTHRITIS IN MY LEG HAS GETTING WORST DO TO WATER FALL, AND CLOTHES BEING WET ON MY BODY FROM PUDDIE OF WATER THEN EMERGENCY TOOK ME IN BAD WHEELCHAIR FROM PLACE TO PLACE. I ALSO SUFFER WITH LOWER BACK PAINS, SHOULDER (R) AND BACK. DOCTOR HAS PROSCRIBED WALKING CANE, ⁺LEG BACK brace, NECK brace. I SUFFER EVERY DAY WITH CHRONIC PAIN AND DISCOMFORT. BECAUSE OF THE CARELESSNESS AND NEGLLECT OF THE HRYCI, ADMINISTRATION, AND DEFENDANTS. I ALSO SUFFER FROM HOT FLASH^{ES} OF HEAT RUNNING THROUGH LEG (R)

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In mention Do to the slip and Fall I've been bleeding from my rectum every time I use the bath toilet and some times when I don't, it has got worst.

THE FACTS ARE FROM ABOUT March 1, 2008 Through March 27, 2008
 DEFENDANTS NEW THE DANGER THAT "ALBERT BROWN," INMATES WAS IN, AND THAT
 inmates life in DANGER when DEFENDANTS FAILED TO SECURE THE area, AND
 BY NOT doing so CAUSED Albert Brown TO GET INJURED BY NEGLECTING HEALTH
 Hazard and SAFTY PROCEDURE TO PROTECT AND SAFTY, INMATES

ALBERT BROWN is now Housed on I-C unit-Medical unit, after being released from spending
 three days Christina Hospital. AND about a month in the HRYCI Medical unit of CMS.
 C.O. MITCHELLE who is one of the DEFENDANTS and works at LEAST ONE day of the week
 8-TO 4 shift on I-C. C.O. MITCHELLE Told ALBERT BROWN THAT HE log IT in THE
 log book THAT The Ceilling on To 2-m WAS LEEKING WATER ON THE Ground in case
 IF HE Fell AS he did his COUNT. C.O. MITCHELLE DID NOT say HE logged or PUT WORK
 orders in For THE SAFTY OF INMATES.

DURING THE Time ALBERT BROWN WAS AdMITTED C.O. Romanowski ALSO A DEFENDANT
 and worked 4 TO 12 shift on IC-unit. STATED Do you know how many WORK
 orders I PUT in To have THAT WATER LEEK FIXED Coming From THE
 Ceilling on 2m.

THE FIRST WEEK THAT ALBERT BROWN WAS AdMITTED in H.R.Y.C.I. infirmary
 C.O. Smith who is A DEFENDANT WAS working on IC UNIT 4 TO 12 shift
 AND when C.O. Smith NOTICE MY INJURY STATED, THATS ASHAME because
 THE MAINTENANCE or administration could OF BEEN FIXED THAT LEEK
 Coming From THE Ceilling And she worked on 2m That day March 27, 2008
 4 TO 12 shift AND They CUT THE WATER COMPLETELY-TO FIX THAT WATER
 LEEK THAT same day

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C.O. HACKETT USE TO ALLOW FOOD WORKERS TO PLACE INDUSTRY GARBAG CAN UNDER LEAK, COMING ^{FROM} THE CEILING AND SMALL BUCKET ONLY FOR THE CONVENIENCE OF IN CASE DEPUTY WARDEN COMES BY BUT SOON AS THE COST WAS CLEAR THE GARBAG CAN WOULD GO BACK IN ITS PLACE ON THE FRONT UNIT FOR TRASH OR EITHER ONE WOULD GET FILLED UP AND RUN ON THE GROUND LIKE A WATER FALL FOR WEEKS THIS WENT ON. AND THE OTHER DEFENDANTS EACH DID SOME THING similar BUT STILL ALLOWED TO WATER TO BECOME A PUDDLE ON THE GROUND EITHER BY THE WATER FALLING STRIGHT ON THE GROUND OR FROM THE CEILING TO OVER FLOOD THE GARBAG CAN OR BUCK THE WATER WAS ALLOWED PUDDLE UP ON THE FLOOR BY THESE DEFENDANTS IT GOT TO THE POINT OFFICERS AND MAINTENANCE WORKS WOULD JUST WALK THROUGH THE WATER IN THEIR BOOTS AND COUNT INMATES, AND MAINTENANCE WORK^{ERS} HAVE BEEN ASIGNED TO 2M UNIT AND FIXED DOORS, LOCKS, LIGHT, SINKS, TOILETS, WINDOWS BUT FAILED BY WALKING THROUGH LEAKING WATER. AND DID NOT FIX IT UNTIL ^{AFTER} INCIDENT ACCURED. ON ABOUT MARCH 17, 2008 APPROXIMATION DEPUTY WARDEN CAME ON THE UNIT AND SEEN THERE WAS A CEILING LEAK WITH FALLING WATER AND ADDRESSED THE ISSUES WITH OTHER AUTHORITY BUT STILL NOTHING WAS DONE TO WARN INMATES ABOUT HOW TO COME OUT YOUR, "CEILL. OFFICER K. HASTING DID NOT ALART US THAT THERE WAS PUDDLE OF WATER OUT SIDE MY CELL. ON MARCH 27, 2008. AS THE RESULTS OF THE WATER LEAK FROM THE CEILING AND PUDDLE OF WATER DEFENDANTS ~~TH~~ AND H R V C I FAILED TO PROVIDE ADEQUATE SAFTY OF ALBERT BROWN AND THEIR DELIBERATE INDIFFERENCE, ALBERT BROWN HAS SUFFERED AND WILL CONTINUE TO SUFFER EXTREME PHYSICAL AND PSYCHOLOGICAL PAIN PHYSICAL INJURY AND EMOTIONAL DISTRESS.

2. SO'S ON I'AM ALSO SEEKING FOR MY
NOTABLE INJURIES AND HARD SHIPS AND
MOTIONAL DISTRESS, AND COMPENSATORY
DAMAGES, PUNITIVE AND SPECIAL DAMAGES
ALL MEDICAL EXPENSIVES AND LEGAL FEES
3. AND COURT COST SPECIAL INVESTIGATORS AND
ALL FILING FEES AND IN THE AMOUNT
OF 3,000,000, - IN WRITING THREE
MILLION DOLLARS

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 17 day of JULY, 2008

Albert Brown

(Signature of Plaintiff 1)

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)